

**Amendments to the Claims:**

1.     **(Original)** A heat exchanger adopting a four-pass structure, comprising:
  - a plurality of tubes disposed so as to distribute a coolant along a top-bottom direction over two rows to the front and rear along the direction of airflow;
  - a first upper tank portion communicating with the upper end of a group of tubes disposed in one of the tube rows;
  - a second upper tank portion communicating with the upper end of a group of tubes disposed in the other tube row;
  - a first lower tank portion communicating with the lower end of said group of tubes disposed in the one tube row;
  - a second lower tank portion communicating with the lower end of said group of tubes disposed in said other tube row;
  - a communicating passage that communicates between one end of said first upper tank portion and one end of said second upper tank portion;
  - a partitioning means for partitioning said first upper tank portion and said second upper tank portion at substantial centers thereof;
  - an inflow port communicating with the other end of said first upper tank portion, through which coolant from an outside source flows in; and
  - an outflow port communicating with the other end of said second upper tank portion, through which coolant flows out to the outside;
  - wherein an opening area at said inflow port is set smaller than an opening area at said outflow port.
  
2.     **(Original)** A heat exchanger according to claim 1:
  - wherein the center of the opening at said inflow port is set at a position higher than the center of the opening at said outflow port.

3. **(Currently amended)** A heat exchanger according to claim 1 ~~or claim 2~~:  
wherein the opening area at said inflow port is within a range of 25 ~ 65 mm<sup>2</sup>.
4. **(Currently amended)** A heat exchanger according to ~~any of claims 1 through 3~~ claim 1,  
utilized in a refrigerating cycle that includes a variable capacity compressor.
5. **(New)** A heat exchanger according to claim 2:  
wherein the opening area at said inflow port is within a range of 25 ~ 65 mm<sup>2</sup>.
6. **(New)** A heat exchanger according to claim 2, utilized in a refrigerating cycle that  
includes a variable capacity compressor.
7. **(New)** A heat exchanger according to claim 3, utilized in a refrigerating cycle that  
includes a variable capacity compressor.